MEMORANDUM

Agenda Item No. 11(A)(7)

TO: Honorable Chairman Oliver G. Gilbert, III and Members, Board of County Commissioners

DATE: October 3, 2023

FROM: Geri Bonzon-Keenan County Attorney

SUBJECT: Resolution waiving requirements of Resolution No. R-138-14 regarding presentation of favorable credit underwriting report to Board for Casa Familia, Inc.'s affordable housing project on County-owned and leased land located at 11025 S.W. 84th Street ("property"); authorizing and delegating authority to the County Mayor to: (1) confirm credit underwriting report has a favorable recommendation; and (2) negotiate, finalize and execute Building Better Communities General Obligation Bond Program grant agreement and rental regulatory agreement with Casa Familia, Inc. or an affiliated entity in amount of $4,655,028.25 for the development of no less than 48 affordable housing units at the property in Commission District 10, and to enforce all provisions contained therein

Resolution No. R-891-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Anthony Rodríguez.

For

Geri Bonzon-Keenan
County Attorney

GBK/uw

MEMORANDUM
(Revised)

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and Members, Board of County Commissioners

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Please note any items checked.

_______	**"3-Day Rule" for committees applicable if raised**
_______	**6 weeks required between first reading and public hearing**
_______	**4 weeks notification to municipal officials required prior to public hearing**
_______	**Decreases revenues or increases expenditures without balancing budget**
_______	**Budget required**
_______	**Statement of fiscal impact required**
_______	**Statement of social equity required**
_______	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
✓	**No committee review**
_______	**Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve**
_______	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved ______________________ Mayor
Veto __________
Override __________

Agenda Item No. 11(A)(7)
10-3-23

RESOLUTION NO. R-891-23

RESOLUTION WAIVING REQUIREMENTS OF RESOLUTION NO. R-138-14 REGARDING PRESENTATION OF FAVORABLE CREDIT UNDERWRITING REPORT TO BOARD FOR CASA FAMILIA, INC.'S AFFORDABLE HOUSING PROJECT ON COUNTY-OWNED AND LEASED LAND LOCATED AT 11025 S.W. 84TH STREET ("PROPERTY"); AUTHORIZING AND DELEGATING AUTHORITY TO THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO: (1) CONFIRM CREDIT UNDERWRITING REPORT HAS A FAVORABLE RECOMMENDATION; AND (2) NEGOTIATE, FINALIZE AND EXECUTE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM GRANT AGREEMENT AND RENTAL REGULATORY AGREEMENT WITH CASA FAMILIA, INC. OR AN AFFILIATED ENTITY IN AMOUNT OF $4,655,028.25 FOR THE DEVELOPMENT OF NO LESS THAN 48 AFFORDABLE HOUSING UNITS AT THE PROPERTY IN COMMISSION DISTRICT 10, AND TO ENFORCE ALL PROVISIONS CONTAINED THEREIN

WHEREAS, on December 18, 2018, pursuant to Resolution No. R-1313-18, this Board approved a lease agreement with Casa Familia, Inc. ("Casa Familia"), a Florida not-for-profit corporation, to lease approximately 8.9 acres of County land ("Premises"), improved with five buildings, located at 11025 S.W. 84th Street for the development of affordable housing for persons with disabilities (the "Housing Project"); and

WHEREAS, the Housing Project was to be developed in phases, with phase one of the project to consist of 45-60 units of affordable housing along with support facilities for individuals with disabilities; and

WHEREAS, as part of the development of the Housing Project, Casa Familia desired to construct a community center to serve the residents of the Housing Project as well as all other County residents with disabilities; and

WHEREAS, accordingly, on August 31, 2020, pursuant to Resolution No. R-841-20, this Board approved the creation of a new Building Better Communities General Obligation Bond Program ("Bond Program") Project No. 385 - "Casa Familia Community Center" in the amount of $3,500,000.00, to fund the construction of an approximately 11,000 square foot community center for disabled individuals by Casa Familia at the premises; and

WHEREAS, on January 12, 2021, pursuant to Resolution No. R-40-21, this Board also approved an allocation of an additional $1,655,028.25 of Bond Program funds from Project No. 249 – "Preservation of Affordable Housing Units and Expansion of Home Ownership" to fund the construction and development of the affordable housing component of phase one of the housing project; and

WHEREAS, while Casa Familia continued to work on securing the funding it required, its lease agreement with Miami-Dade County expired in December of 2021; and

WHEREAS, on January 17, 2023, this Board approved, pursuant to: (1) Resolution No. R-19-23, the creation of a new Bond Program Project titled "Casa Familia Affordable Housing Project" in the amount of $3,000,000.00 to fund the construction of no less than 48 units of affordable housing for persons with disabilities; and (2) Resolution No. R-20-23, a new lease agreement between Casa Familia, as tenant, and the County, as landlord, for the Premises for the development of the Housing Project (the "Lease Agreement"); and

WHEREAS, Resolution Nos. R-40-21 and R-19-23 which allocated funds for the Housing Project expressly made the allocations subject to a favorable underwriting report and also directed the County Mayor or County Mayor's designee to work with Casa Familia, or an affiliated entity, to undergo a credit underwriting review for the Housing Project, to negotiate a grant agreement and rental regulatory agreement for the Housing Project, and to present said underwriting report and agreements to this Board for approval; and

WHEREAS, phase one of the Housing Project will consist of 48 one and two bedroom units of affordable housing for disabled individuals, with 42 units to be set aside for persons with incomes equal to or below 60 percent of adjusted median income, and 6 units to be set aside for persons incomes equal to or below 120 percent of adjusted median income, along with an additional 2 units will be built to be set aside for full-time resident managers or building superintendents; and

WHEREAS, this Board, pursuant to Resolution No. R-138-14, established Board policy that all Bond Program projects being allocated funds for affordable housing projects must undergo credit underwriting review and the final underwriting report be presented to the Board along with legislation seeking approval of the grant agreements for the affordable housing projects; and

WHEREAS, the Housing Project is still undergoing credit underwriting and finalizing its credit underwriting report, which report shall assess both the use of the Bond Program funds for the development of the Housing Project, as well as fiscal year 2019 Surtax Funding through the Department of Public Housing and Community Development; and

WHEREAS, this Board desires to waive the requirements of Resolution No. R-138-14 that the final credit underwriting report be presented to this Board and instead delegates the authority to the County Mayor or County Mayor's designee to confirm that the credit underwriting report for the Housing Project has a favorable recommendation for the Housing Project and the use of the County funds; and

WHEREAS, the County administrative staff, through the Internal Services Department, is currently finalizing the standard Bond Program grant agreement and rental regulatory agreement used for affordable housing projects with Casa Familia, or an affiliated entity, for the Housing Project; and

WHEREAS, Casa Familia has advised the County that, as soon as the credit underwriting report is completed, it is ready to proceed with development of the Housing Project as soon as the agreements associated with the Bond Program funding are finalized and executed; and

WHEREAS, there is a need for the development of affordable housing in Commission District 10 and especially for the disabled; and

WHEREAS, this Board further desires to expedite the execution of the agreements associated with the Bond Program funding and to authorize and delegate the authority to the County Mayor or County Mayor's designee to negotiate, finalize and execute said agreements and enforce all provisions contained therein without the need for further Board action,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Approves the foregoing recitals and incorporates them into this resolution.

Section 2. For the Housing Project, waives the provisions of Resolution No. R-138-14 requiring, as Board policy, that the final credit underwriting report for Bond Program projects being allocated funds for affordable housing be presented to this Board at the time legislation is presented to seek approval of the grant agreements, and instead delegates the authority to the County Mayor or County Mayor's designee to confirm that the credit underwriting report for the Housing Project has a favorable recommendation for the Housing Project and the use of the County funds.

Section 3. Authorizes and delegates the authority to the County Mayor or County Mayor's designee to negotiate, finalize and execute the Bond Program grant agreement and rental regulatory agreement in the amount of $4,655,028.25 with Casa Familia, or an affiliated entity, for the Housing Project and to enforce all provisions contained therein.

The Prime Sponsor of the foregoing resolution is Vice Chairman Anthony Rodríguez. It was offered by Commissioner **Anthony Rodriguez**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman **aye**
Anthony Rodríguez, Vice Chairman **aye**

Marleine Bastien	**aye**	Juan Carlos Bermudez	**aye**
Kevin Marino Cabrera	**aye**	Sen. René García	**absent**
Roberto J. Gonzalez	**aye**	Keon Hardemon	**aye**
Danielle Cohen Higgins	**aye**	Eileen Higgins	**aye**
Kionne L. McGhee	**aye**	Raquel A. Regalado	**aye**
Micky Steinberg	**aye**		

The Chairperson thereupon declared this resolution duly passed and adopted this 3rd day of October, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MIAMI-DADE COUNTY FLORIDA

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency. MRP

Monica Rizo Perez